

**Hearing on Railroad Grade Crossing Safety Issues  
Subcommittee on Railroads – U.S. House of Representatives  
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Chairman LaTourette, members of the Subcommittee, thank you for inviting me to testify during this hearing on Railroad Grade Crossing Safety Issues.

I am President of Operation Lifesaver, an international, non-profit public education program dedicated to ending tragic deaths and injuries on highway-rail grade crossings and railroad property. Operation Lifesaver is at the heart of rail safety: Over 96 percent of all rail-related fatalities involve vehicle or pedestrian/train collisions.

On behalf of Operation Lifesaver, our Board of Directors, 50 state coordinators, 200 trainers and more than 3,000 volunteer safety speakers across the nation, thank you for the ongoing support the Railroad Subcommittee and its Members have given Operation Lifesaver for nearly 20 years. You are some of our best safety partners!

### **Operation Lifesaver History**

Operation Lifesaver began in 1972, as a one-time only, six-week public awareness campaign by Idaho Governor Cecil Andrus' office, the Union Pacific railroad and the Idaho Peace Officers. State officials were alarmed by the high incidence of vehicle/train collisions in their state and decided to do something about it.

The very first Operation Lifesaver safety speakers, which we now call APresenters,@ spoke to the same groups that we focus on today: professional drivers, school children, new drivers, and community groups. In its first year, Idaho Operation Lifesaver saw a 43 percent reduction in fatalities. Inspired by Idaho=s success, Nebraska, Georgia and Kansas tried the new Operation Lifesaver approach. Those states experienced the same kind of result -- collision rates in those states dropped between 26 percent and 75 percent in the first year after their Operation Lifesaver programs began.

By 1986, grassroots Operation Lifesaver programs had sprung up in 49 states, often sponsored by state safety councils or state departments of transportation. That year, Operation Lifesaver was incorporated as a national, non-profit 501c3 educational organization.

Operation Lifesaver's Board of Directors includes a former school bus driver trainer from North Carolina, as well as representatives of the American Bus Association, the American Public Transportation Association, the Railway Supply Institute, and both the AAR and the Association of Short Line and Regional Railroads. The Chairman of the OLI Board currently and for the past six years is the former Director of Intermodal Programs for the American Association of State Highway and Transportation Officials, the national organization representing state Directors of Transportation.

In 1987, the Operation Lifesaver Board established a Program Development Council (PDC) to be responsible for the development of accurate, effective education and training programs and materials to be used by all of Operation Lifesaver's partners and participants. The PDC today is made up of 37 voting members representing OLI state coordinators, federal agencies and national associations with a role in rail safety (eg., law enforcement, emergency responders, firefighters, pupil transportation, professional truckers, highway-rail/traffic safety engineering, state departments of transportation, rail labor, light rail transit, suicide prevention, etc.), and representatives of the nation's Class 1 railroads. Operation Lifesaver Canada and Mexico Operation Lifesaver also are represented on the PDC.

In 2001, the Board voted to make Operation Lifesaver, Inc., a "membership organization" comprised of the Operation Lifesaver state programs, most of which now are independently incorporated as 501c3 educational organizations with their own Boards of Directors. The District of Columbia started an Operation Lifesaver program in 2002. We trained Presenters in Hawaii in 2004, but we do not have a formal state program there. At this time, all state programs are members in good standing of Operation Lifesaver, Inc.

Operation Lifesaver is highly regarded internationally and has been a model for railroad safety organizations worldwide. Operation Lifesaver Canada started in 1981, and is active across the Canadian Provinces. Argentina Operation Lifesaver began in 1996. In 2001, Mexico Operation Lifesaver was established, and Panama began a regional Operation Lifesaver initiative. In 2003, England adopted a rail safety program based on Operation Lifesaver focusing mainly on pedestrian safety issues and rail trespass prevention. In 2004, Estonia Operation Lifesaver was established. They are translating their materials into Finnish and Russian so they can promote Operation Lifesaver programs in those countries. Australia is carrying out an extensive rail safety public awareness campaign, based on the Operation Lifesaver model.

In the United States, Operation Lifesaver receives support from a wide variety of partners including, but not limited to, the U.S. Department of Transportation (FRA, FHWA, FTA, NHTSA, FMCSA), the National Transportation Safety Board, the Department of Homeland Security; the American Trucking Associations, the National Public Transportation Association, the American Automobile Association, the National Safety Council, the International Association of Chiefs of Police, the National Sheriffs Association and the International Association of Directors of Law Enforcement Standards and Training, the International Associations of Fire Fighters and of Fire Chiefs, the Governors Highway Safety Association, the American Association of State Highway Transportation Officials, the National Association of State Directors of Pupil Transportation Services, the National Association of Pupil Transportation and the National School Transportation Association, state and local governments and associations across the nation, and North America's railroads, labor groups and suppliers.

### **Operation Lifesaver Funding**

Around 90 percent of Operation Lifesaver's budget is provided by grants from the Federal Railroad Administration, the Federal Highway Administration and the Federal Transit Administration. The remaining 10 percent of our national budget is contributed by the railroad industry, including the Association of American Railroads, individual Class 1, regional and short line railroads, railroad supply manufacturers, private organizations and individuals.

Operation Lifesaver's national support center was established in Alexandria, Virginia, in 1989. The purpose of the national Operation Lifesaver office, which I head, is to carry out three objectives, as follows: 1) to assist and empower the state Operation Lifesaver programs; 2) to develop effective educational programs and materials that can be used by all of Operation Lifesaver's partners and participants in North America and throughout the world; and 3) to create and coordinate the delivery of public awareness campaigns.

## 1. **State Operation Lifesaver Program Support**

*State Coordinator Support:* Operation Lifesaver state programs are lead by coordinators who manage safety education activities and respond to 100s of Presentation requests from schools, civic groups, trucking companies, police and fire departments, and companies such as FedEx, UPS and the U.S. Postal Service who have drivers on the road crossing railroad tracks. Because Operation Lifesaver wants its state programs to be as effective as possible, a State Coordinator Orientation class is held every December at Operation Lifesaver's national office. Annual workshops give state coordinators the opportunity to develop their management skills and to share best practices.

*State Program Grants:* Nearly one-third of the funding provided each year by the FRA is distributed to state Operation Lifesaver programs to assist with community-based projects and meet needs identified by state offices.

## 2. **Education and Training Programs and Materials**

*Presenter Training:* To ensure that our safety messages are accurate and delivered effectively, anyone who wants to become a volunteer safety speaker for Operation Lifesaver must successfully complete a one-day Presenter Training, which includes public speaking and rail safety education, before they are eligible to be certified as an Operation Lifesaver Presenter and enrolled in the national database. There are other continuing education requirements for presenters: in order to keep their presentation skills and knowledge honed, they must make at least four presentations each year.

Presenters come from all age groups and walks of life. Some of them are Operation Lifesaver high school speech contest winners who became Presenters and are giving safety talks to other teens; some are retirees; some are teachers who in addition to making presentations use our educational curricula in their classrooms. About one-third of our Presenters are law enforcement officers or emergency responders, such as firefighters, who have seen the devastating outcome of a rail-related incident or had to inform the family member that their loved one has perished in a grade crossing tragedy.

Last year, Operation Lifesaver's more than 3,000 volunteer Presenters gave 32,000 presentations to nearly 1,400,000 individuals in our target audiences. Half of those reached were student drivers and other school-aged youngsters. About 4,200 presentations were given to nearly 120,000 professional truck and bus drivers and school bus drivers.

*Educational Materials for the Public:* Because we cannot reach all drivers and pedestrians through classroom style presentations, we continually work with key partners in government and the private sector to create and distribute 1,000s of safety videos and educational materials for specific audiences. These include "Your License or Your Life" for professional truck drivers; "Your Safety First" for emergency responders; and "Drive Smart; Arrive Safe," a soon to be

released new video for school transportation providers. Later this year, we will release two other new videos, one for new drivers and one, developed in cooperation with Canada Operation Lifesaver, for motor coach drivers.

Operation Lifesaver also has created a very popular educational product for teachers, available on cd-rom or on-line at our website ([www.oli.org](http://www.oli.org)). "Operation Lifesaver in the Classroom," which provides standards of learning approved lesson plans on math, science and language skills, which incorporate rail safety information. Since schools often teach safety as part of health and physical education classes, Operation Lifesaver is creating new lesson plans for use in physical education classes, featuring "kinetic" learning.

*Light Rail Transit Safety Education:* In 2001, Operation Lifesaver and the American Public Transportation Association entered into a Memorandum of Understanding to assist each other in accomplishing their common safety goals. That year, APTA invited Operation Lifesaver to work with transit providers to develop recommend practices related to public safety education for light rail transit. In 2002, APTA adopted recommended a "Recommended Practice for Rail Transit System Grade Crossing Public Education and Rail Trespass Prevention" which called for transit agencies to use the Operation Lifesaver program as a model for developing their own public safety education programs. Later that year, the Federal Transit Administration provided a grant of \$200,000 for Operation Lifesaver to develop and test new, light rail specific educational materials. Operation Lifesaver hired a Director for Light Rail Safety Education to carry out the contract, and invited transit agencies to create a program to suit their unique needs.

Twenty-three transit agencies responded to OLI's invitation to develop key safety messages and select a safety mascot (Earl P. Nutt, a North American Red Squirrel) who would be the star of a new light rail safety program for young people. The new light rail program features an eight-minute cartoon, posters and activity book in English and Spanish. Independent testing of the materials revealed a consistent conclusion of importance to all Operation Lifesaver public education activities: at all ages, the more trained and knowledgeable the presenter, the more successful, well-received and retained the messages. The materials are available to transit agencies free of charge, and may be customized to address their specific circumstances. Eight transit agencies have signed licensing agreements to use the "Earl" materials, and another 16 have requested more information.

*Safety for Law Enforcement and Emergency Responders:* Because of the special circumstances affecting the safety of law enforcement officers and emergency response personnel when they must work on or near railroad property, Operation Lifesaver has collaborated with experts in the field to develop training programs for these groups. Five years ago, Operation Lifesaver collaborated with the nation's railroad police, the International Association of Chiefs of Police, the National Sheriffs Association and the International Association of Directors of Law Enforcement Standards and Training to develop model Grade Crossing Collision Investigation courses for local police departments and law enforcement academies nationwide. Similarly, a new Rail Safety for Emergency Responders course has been developed in cooperation with the International Association of Fire Fighters and International Association of Fire Chiefs.

### **3. Public Awareness Campaigns**

Historically, about one-third of the funds Operation Lifesaver receives from FRA are used for public awareness campaigns.

The "Highways or Dieways: The Choice is Yours" rail safety PSA campaign (print, TV, radio) was launched nationally in 1996, and ran through 1999. Tracking reports of the television PSAs showed that the TV PSAs generated roughly \$5.5 million in equivalent advertising dollar value. In addition, the PSAs were aired in all 50 states, reached more than 100 million potential broadcast viewers and an additional 22.8 million cable subscriber homes. The campaign cost approximately \$1.5 million.

OLI launched its "Take Safety to Heart" Public Service Advertising (PSA) campaign on Valentine's Day, 2001 with three new TV PSAs and corresponding radio and print spots. A second phase of the campaign, with three new TV spots, was launched in 2003. The campaign achieved TV and radio airtime and magazine placements equivalent to \$10.5 million. The campaign cost about \$1 million.

With the time available for TV public service announcements shrinking, OLI has started to explore other avenues for distributing PSAs. Movie theater ads were tested in a few markets to determine whether they could be a new direction for OLI PSA efforts. Print PSAs promoting pedestrian safety for rail commuters, which were sent to newspapers in metropolitan areas and medium sized cities (potential readership of 6.5 million) generated an equivalent donated publication value of \$25,000. Print PSAs stressing school bus safety which were distributed to small and medium sized newspapers nationwide (potential readership of 17 million) generated an equivalent publication value of nearly \$40,000. In addition, new radio PSAs were developed and placed in key Midwest states, with a return on investment of nearly 2 to 1.

### **Operation Lifesaver's Impact**

The mission of Operation Lifesaver and its partners is to end tragic collisions, deaths and injuries at highway-rail grade crossings and on railroad rights-of-way. Operation Lifesaver has always recognized that it is only one player in the larger highway-rail grade crossing safety team. From the beginning, Operation Lifesaver has promoted three Es – Education, Engineering and Enforcement:

**Education** – Operation Lifesaver's sole purpose is to help the public make safe decisions around tracks and trains.

**Engineering** – Operation Lifesaver encourages the continued research into and application of engineering solutions to improve the safety of railroad crossings.

**Enforcement** – Operation Lifesaver promotes the active enforcement of traffic laws relating to crossing signs and signals and private property laws related to trespassing on the tracks.

In 1972, when Operation Lifesaver began, there were more than 12,000 collisions between trains and vehicles nationwide and about 1,200 fatalities. In 2004, preliminary FRA statistics indicate that there were 3,038 collisions and 386 fatalities. We wish there had been zero fatalities. However, it is gratifying to see that the efforts of all the partners in highway-rail grade crossing safety have accomplished a 75 percent safety improvement during the past 33 years. During the past decade alone, in spite of 20 percent increases in both highway and freight rail traffic, there has been a 39 percent reduction in highway-rail grade crossing collisions.

What has Operation Lifesaver contributed to the reduction of highway-rail grade crossing collisions? In July 2003, Dr. Ian Savage, and Economist from Northwestern University published a report entitled, "Why has Safety Improved at Rail-Highway Grade Crossings". Dr. Savage's analysis concluded that about two-fifths of the decrease in collisions and fatalities was due to general highway improvements, such as reduced drunk driving and improved emergency medical responses. The installation of gates and flashing lights was estimated to account for about one-fifth of the reduction. The development of Operation Lifesaver's public education campaign and the installation of ditch lights on locomotives were estimated to have led to about one-seventh of the reduction. About one-tenth of the improvement in safety was attributed to closure of crossings.

On March 17, 2005, Dr. Savage calculated, in a paper entitled "Operation Lifesaver's Effect on Crossing Incidents and Fatalities," that Operation Lifesaver's existence averted approximately 22,045 incidents and 3,215 deaths between 1975 and 2001. His analysis of the reports of state Operation Lifesaver programs indicated that doubling the amount of educational activity in a state reduced the number of collisions by 11 percent. Finally, he notes that the annual benefit-cost ratio for Operation Lifesaver would be 101:1, based on a calculation of deaths and injuries averted compared to funding and in-kind contributions to the program.

### **Operation Lifesaver's Continuing Challenges**

**Pedestrian Safety / Rail Trespass Prevention.** In 1997 highway-rail grade crossing fatalities were exceeded for the first time by railroad trespass fatalities - where a pedestrian is killed or injured while unlawfully walking, hiking or playing on tracks or railroad equipment. This tragic trend continues to frustrate us.

From its inception, Operation Lifesaver has addressed pedestrian safety in its brochures, videos and presentations. In 1997, in cooperation with Operation Lifesaver Canada, we produced a comprehensive Guide to Community Trespass Prevention for use by our State Coordinators and their partners. This document was updated in 2003, and we have given our Presenters stronger talking points and visual aids aimed at trespass prevention. However, we are anxious to target our messages more effectively as a result of the FRA research being conducted on rail trespasser demographics.

**Rail Security Issues.** Pedestrian activities around tracks also have implications for rail security. In 2004, Operation Lifesaver invited a representative of the Transportation Security Administration (TSA) to join its Program Development Council. Operation Lifesaver subsequently worked with TSA, AAR and FRA, to develop a "Rail Fans Tips and Security Advisory" encouraging rail fans and others to give safety and security top priority around tracks and trains, and to report suspicious activities to railroad or local law enforcement officers immediately.

**Bad Ads/Entertainment Images.** Operation Lifesaver is convinced that entertainment and advertising images showing unsafe and illegal motorist and pedestrian behavior on the rails is unwittingly contributing to our national rail safety problems. Operation Lifesaver and its participants send e-mails and letters weekly requesting that dangerous images on national television networks and in national publications be discontinued. As recently as June 29, Nissan motors discontinued a television ad campaign featuring its new Altima racing to beat a lowering highway-rail grade crossing gate which, at the last minute, pivots to stop the train. This

month, Operation Lifesaver has lodged complaints with Country Music Television and MTV about current CMT videos featuring Tim McGraw and Trisha Yearwood strolling down railroad tracks. Operation Lifesaver sometimes has received ridicule from entertainment industry representatives, rather than positive responses. We need to find ways to convince advertisers and the entertainment industry not to use dangerous images so they do not continue to the safety efforts of Operation Lifesaver and its partners.

**Suicide Prevention.** For the past several years, Operation Lifesaver's British and Canadian colleagues have noted that suicides on rail property were on the rise. Unfortunately, federal statistics on this trend are not collected by the FRA or any health organization in the United States. However, we are told by state officials that for every ten rail trespassing related fatalities reported to the FRA, there are at least another three suicides by rail, which are not included in federal safety statistics.

Traditionally, Operation Lifesaver has limited its involvement to discouraging the press from sensationalizing "suicide by rail" in the news. Indeed, European research published during the past five years indicates such a strong and disturbing relationship between media reporting of suicides and copycat behavior that the World Health Organizations and the U.S. Centers for Disease Control and Prevention issued a paper entitled, "Reporting on Suicide: Recommendations for Media."

It was because of this report that Operation Lifesaver found one CMT music video particularly objectionable in 2004. The music video for "Long Black Train" featured images of despondent people standing in the middle of the rails ultimately being run through by a "phantom train." We feared that the video might be seen by vulnerable people as an unintentional invitation to suicide by rail. CMT ridiculed our concerns as petty. A suicide prevention expert has joined Operation Lifesaver's Program Development Council to help us address this problem, which has such far-reaching implications for families, communities and train crews. Clearly, the horrible Glendale, California, incident earlier this year illustrates the urgency of addressing the complex issue of "suicide by rail."

### **Summary**

In closing, I would like to thank you again for inviting me to update the Railroad Subcommittee on the activities of Operation Lifesaver. With your support, Operation Lifesaver and state coordinators, presenters and partners have made great strides in improving highway-rail grade crossing safety over the past 33 years. Our work is not done, however. Working together with our national partners and international colleagues, we are committed to making improvements in grade crossing safety and also finding ways to more effectively address light rail and transit safety, pedestrian safety and trespass prevention, suicide prevention, and security around our nation's railroads. Lives in our communities depend on it.